

October 17, 2012

A regular meeting of the Town Board of the Town of Harrison, Westchester County, New York was held at the Municipal Building, 1 Heineman Place, Harrison, NY, Westchester County, on Wednesday, October 17, 2012 at 7:30 PM. Eastern Daylight Savings Time. All members having received due notice of said meeting:

MEMBERS PRESENT:

Ronald Belmont ..... Supervisor

Marlane Amelio ..... )

Joseph Cannella ..... ) ..... Councilpersons

Stephen Malfitano ..... )

Fred Sciliano ..... )

ALSO ATTENDING:

Frank Allegretti ..... Town Attorney

Jonathan Kraut ..... Village Attorney

Christopher Cipolla ..... Deputy Village Attorney

Maureen MacKenzie ..... Comptroller

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☒ Engrng

☒ Law

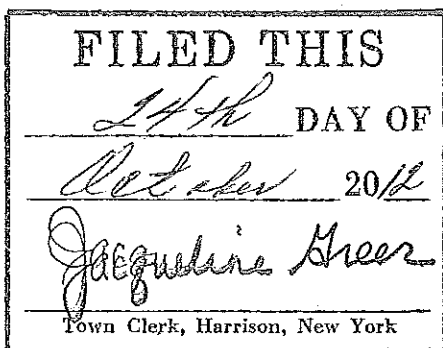
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October 17, 2012

2012 -- 357

ACCEPTANCE OF CORRESPONDENCE AND REPORTS

On motion of Councilman Malfitano, seconded by Councilwoman Amelio,  
it was

RESOLVED to approve the following correspondence and reports:

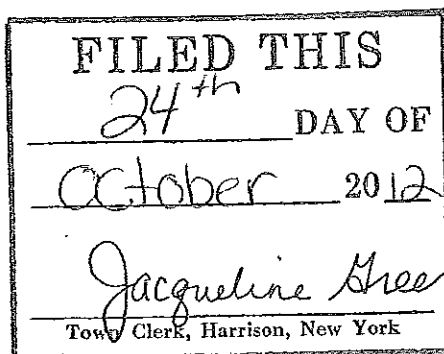
- 1a. Monthly report by the Superintendent of Recreation for September 2012.
  - 1b. Monthly report by the Building Inspector for September 2012.
  - 1c. Monthly report by the Town Clerk for September 2012.
  - 1d. Monthly report by the Acting Fire Marshal for September 2012.
  - 1e. Monthly report by the Receiver of Taxes for September 2012.
2. Notification by Supervisor Ron Belmont that on Wednesday, October 3, 2012, the Town/Village of Harrison was presented with a Bronze Award from the 2012 Community Traffic Safety Awards Program. Harrison was recognized at AAA New York's 48<sup>th</sup> Annual Community Traffic Safety Awards luncheon for their commitment to traffic safety.

Adopted by the following vote:

AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano  
Supervisor Belmont

NAYS: None

ABSENT: None



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October 17, 2012

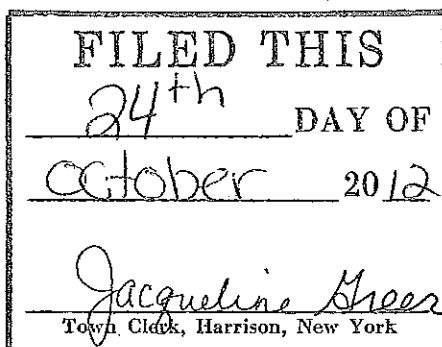
2012 - - 358 - - a

PUBLIC HEARING: RE: A FRANCHISE AGREEMENT BETWEEN  
THE TOWN OF HARRISON AND LIFE TIME FITNESS

On motion of Councilwoman Amelio, seconded by Councilman Malfitano, with all members voting in favor, the Hearing was opened.

Attorney Seth Mendelbaum, a partner at McCullough, Goldberger & Staudt, on behalf of their client Life Time Fitness, said as you are aware Life Time Fitness is under construction now for a 200,000 plus square foot facility at the end of Gannett Drive. As part of the site plan that was approved by this Board and the Planning Board in 2011, there is a new sign proposal. Gannett Drive comes up from Westchester Avenue and ends in a turn around. The sign needs to be located, in what technically is town road right of way, because of rock and vegetation further up, in the middle of that circle. The sign itself, as well as some related utilities, landscaping and lighting, are all proposed in the right of way of Gannett Drive. It has all been approved by the Planning Board, Town Engineer, and as we were trying to finalize some of the details with the Law Department, it was brought to our attention that a franchise agreement is technically required for improvements in town road right of way, and Gannett Drive is a town road. A public hearing is required and that is why we are here tonight. The sign was also approved by the ARB. The sign will be consistent with the building that Life Time Fitness is putting up and consistent with their other facilities.

With no one speaking for or against the Hearing was closed.



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October 17, 2012

2012 -- 358 -- b

APPROVAL FOR A FRANCHISE AGREEMENT BETWEEN  
THE TOWN OF HARRISON AND LIFE TIME FITNESS

On motion of Councilman Cannella, seconded by Councilwoman Amelio,

it was

RESOLVED to approve the request of Frank McCullough, attorney with the firm of McCullough, Goldberger & Staudt, on behalf of their client Life Time Fitness, for authorization for a Franchise Agreement between the Town of Harrison and Life Time Fitness for a new monument sign at the end of Gannett Drive, as well as related lighting, utilities and landscaping improvements located within the right-of-way of Gannett Drive.

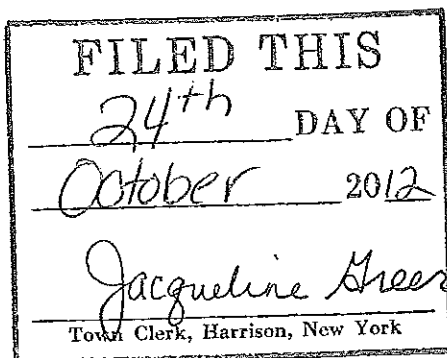
FURTHER RESOLVED to forward a copy of this Resolution to the Building Inspector, the Commissioner of Public Works, the Town Engineer and Mr. McCullough.

Adopted by the following vote:

AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano  
Supervisor Belmont

NAYS: None

ABSENT: None



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October 17, 2012

2012 -- 359

APPROVAL FOR ASSISTANT BUILDING INSPECTOR BILL GERETY TO ATTEND THE  
NYSDEC EROSION AND SEDIMENT CONTROL TRAINING,  
IN WHITE PLAINS, NEW YORK ON OCTOBER 23, 2012

On motion of Councilman Cannella, seconded by Councilman Sciliano,

it was

RESOLVED to approve the request of Building Inspector Robert FitzSimmons for authorization for Assistant Building Inspector Bill Gerety to attend NYSDEC Erosion and Sediment Control Training on October 23, 2012, at the Westchester County Center in White Plains, NY, at a cost of \$65. This is a budgeted item.

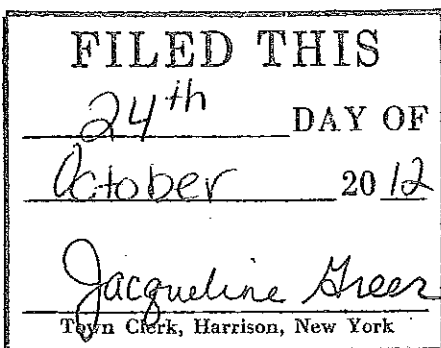
FURTHER RESOLVED to forward a copy of this Resolution to the Building Inspector and the Comptroller.

Adopted by the following vote:

AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano  
Supervisor Belmont

NAYS: None

ABSENT: None



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October 17, 2012

2012 - - 360

ACCEPTANCE, WITH REGRET, THE LETTER OF RETIREMENT  
FROM RALPH DEROSA EFFECTIVE MAY 10, 2012

On motion of Councilwoman Amelio, seconded by Councilman Cannella,

it was

RESOLVED to accept, with regret, the letter of retirement from Ralph DeRosa effective May 10, 2012.

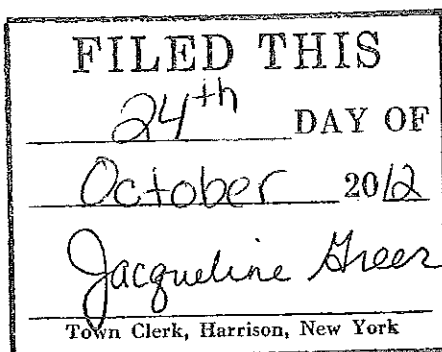
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Personnel Manager.

Adopted by the following vote:

AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano  
Supervisor Belmont

NAYS: None

ABSENT: None



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October 17, 2012

2012 -- 361 -- a

APPROVAL FOR A BUDGET TRANSFER FOR FIRE DISTRICT NO. 2

On motion of Councilwoman Amelio, seconded by Councilman Cannella,

it was

RESOLVED to approve the following Budget Transfer for Fire District No. 2:

**Increase:**

011-3411-100-0240 2,500

Fire District #2-Other Equipment

**Decrease**

011-3411-100-0406 2,500

Fire District#2-Travel and Conference

**Increase:**

011-3411-100-0240 5,000

Fire District #2--Other Equipment

**Decrease:**

011-3411-100-0409 5,000

Fire District#2-Computer Expense

**Increase:**

011-3411-100-0240 2,000

Fire District #2-Other Equipment

**Decrease:**

011-3411-100-0415 2,000

Fire District#2-Schooling

A budget transfer is required due to NFPA and OSHA laws the Chief must comply with such laws. There is abundance of members needing new gear new laws which states after 10 years turnout gear must be taken out of service.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller:

Adopted by the following vote:

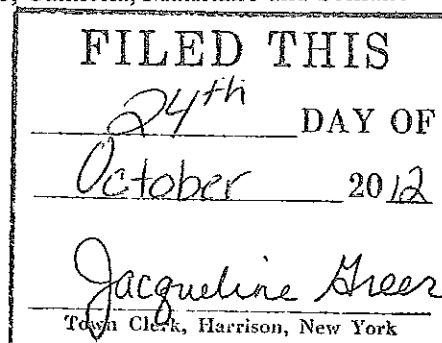
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano  
Supervisor Belmont

NAYS: None

ABSENT: None

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October 17, 2012

2012 -- 361 -- b

APPROVAL TO TRANSFER FUNDS FROM THE FUND BALANCE  
TO THE BUILDING MAINTENANCE AND REPAIR BUDGET LINE  
FOR FIRE DISTRICT NO. 2 FOR ROOF REPAIRS

On motion of Councilman Cannella, seconded by Councilwoman Amelio,

it was

RESOLVED to approve the request by William Nardozzi, Assistant Fire Chief of Fire District No. 2 for authorization for the transfer of funds from the Fund Balance to the Building Maintenance and Repair Budget Line in the amount of \$10,800 for roof repairs.

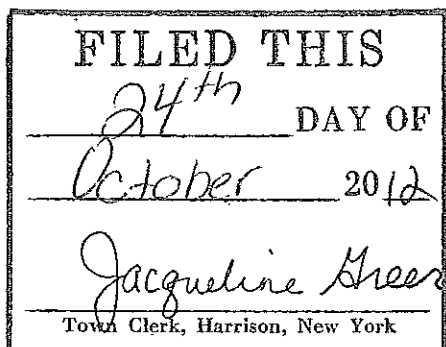
FURTHER RESOLVED to be forwarded to the Comptroller and the Mr. Nardozzi.

Adopted by the following vote:

AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano  
Supervisor Belmont

NAYS: None

ABSENT: None



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October 17, 2012

2012 -- 361 -- c

APPROVAL FOR A BUDGET MODIFICATION FOR FIRE DISTRICT NO. 2

On motion of Councilman Cannella, seconded by Councilwoman Amelio,

it was

RESOLVED to approve the following Budget Modification for Fire District NO. 2:

**Increase:**

011-3411-100-0401

Fire District #2 Building Mtce. And Supplies \$10,800

**Increase:**

011-0000-059-5999

Fire District #2 Appropriated Fund Balance \$10,800

To appropriate fund balance and transfer to the building mtce. Budget line to cover the cost of roof repairs for the downtown fire department.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller.

Adopted by the following vote:

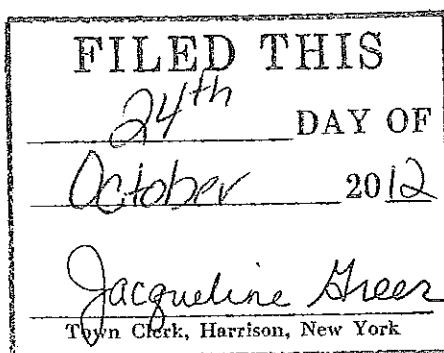
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano  
Supervisor Belmont

NAYS: None

ABSENT: None

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October 17, 2012

2012 - - 362

APPROVAL FOR A SPECIAL EVENTS PERMIT FOR  
HUDSON VALLEY FAMILY CHURCH TO HOLD A BLOCK PARTY  
BETWEEN MADISON AND HANCOCK FOR THEIR 2<sup>ND</sup> HARVEST FESTIVAL ON  
OCTOBER 31, 2012

On motion of Councilwoman Amelio, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Aracelli Morgan, Children's Department Director of the Hudson Valley Family Church for authorization for a Special Event permit to hold a Block Party between Madison and Hancock, for their 2<sup>nd</sup> Harvest Festival, on October 31, 2012 from 5:30 pm to 8:30 pm.

FURTHER RESOLVED that the fee be waived.

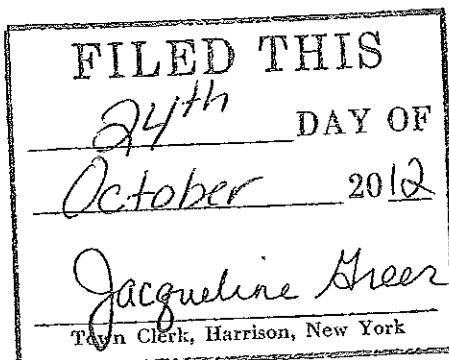
FURTHER RESOLVED to forward a copy of this Resolution to the Chief of Police, the Commissioner of Public Works and Aracelli Morgan.

Adopted by the following vote:

AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano  
Supervisor Belmont

NAYS: None

ABSENT: None



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October 17, 2012

2012 - - 363

AUTHORIZATION FOR COMPTROLLER MAUREEN MACKENZIE TO ACCEPT  
A DONATION IN THE AMOUNT OF \$3,500 FOR THE DOG PARK FROM  
THE JOSEPH ACOCCELLA, JR., MEMORIAL FUND

Laura McCorry addressed the Board. She stated that earlier this year the Joseph Acocella Jr. Memorial Fund donated \$10,000 to the Harrison Dog Park to repair erosion issues. I have received positive feedback from the community. To honor Joseph's memory our family decided to place a plaque, a bench and a tree to reflect his efforts along with R.J. Suhre. The reasoning behind this is for everyone to understand the history of what Joseph brought to this town and what his last project was. We will be having a ceremony on November 6<sup>th</sup>, which is Election Day, which is the day Joseph actually got elected for the first time as Town Clerk. Our family is very proud of the dog park; we want the residents to use it. Ms. Laura McCorry read what is inscribed on the plaque:

This tree and bench serves to honor Joseph Acocella Jr. Harrison Town Clerk  
2007 - 2011

This dog park is one of his many notable accomplishments.  
As part of an Eagle Scout project R. J. Suhre & Joseph worked  
tirelessly to bring Harrison the  
Finest dog park in Westchester County  
Dedicated this day  
November 6, 2012

On motion of Councilwoman Amelio, seconded by Councilman Malfitano,

it was

RESOLVED to approve the request of Comptroller Maureen MacKenzie for authorization to accept a donation in the amount of \$3,500 for the Dog Park from the Joseph Acocella, Jr., Memorial Fund.

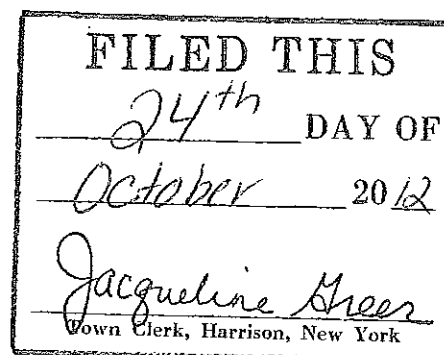
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller.

Adopted by the following vote:

AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano  
Supervisor Belmont

NAYS: None

ABSENT: None



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October 17, 2012

2012 - - 364

AUTHORIZATION FOR THE PURCHASING DEPARTMENT TO  
ADVERTISE AND RECEIVE BIDS FOR  
UNIVERSAL FORENSIC EXTRACTION DEVICE FOR  
THE POLICE DEPARTMENT

On motion of Councilwoman Amelio, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Purchasing Clerk Opal Mclean for authorization to advertise and receive bids for Universal Forensic Extraction Device for the Police Department.

FURTHER RESOLVED that the purchase will be funded by a Grant from Division of Criminal Justice Services.

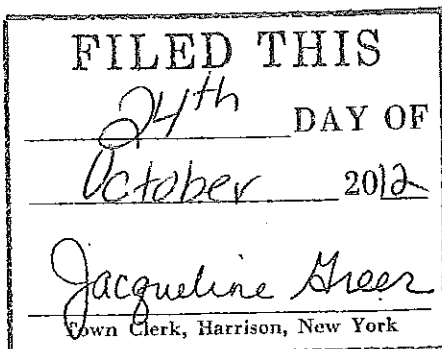
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Purchasing Department and the Chief of Police.

Adopted by the following vote:

AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano  
Supervisor Belmont

NAYS: None

ABSENT: None



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October 17, 2012

2012 - - 365

APPROVAL FOR THE TWO-YEAR CONTRACT BETWEEN  
ACE TRAPPING & EXTERMINATING  
AND THE TOWN OF HARRISON  
FROM NOVEMBER 1, 2012 THROUGH OCTOBER 31, 2014

On motion of Councilwoman Amelio, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Town Attorney Frank Allegretti for authorization of a two-year contract between Ace Trapping & Exterminating and the Town of Harrison from November 1, 2012 through October 31, 2014.

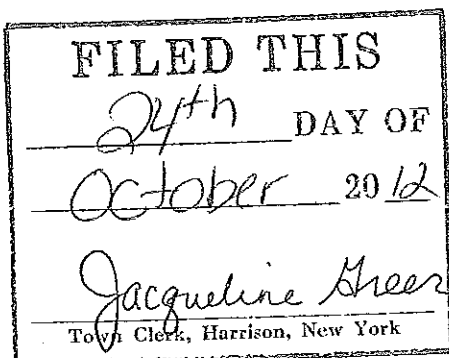
FURTHER RESOLVED to forward a copy of this Resolution to the Law Department, the Comptroller and the Commissioner of Public Works.

Adopted by the following vote:

AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano  
Supervisor Belmont

NAYS: None

ABSENT: None



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October 17, 2012

2012 -- 366

APPROVAL FOR A SPECIAL EVENTS PERMIT FOR  
MARY MCELROY TO HOLD A BLOCK PARTY  
ON NOVEMBER 3, 2012, RAIN DATE: NOVEMBER 4, 2012

On motion of Councilwoman Amelio, seconded by Councilman Malfitano,

it was

RESOLVED to approve the request of Mary McElroy for a Special Events Permit to hold a Block Party on Sunny Ridge Road (the dead end side) on November 3, 2012 from 3-6 PM with a rain date of November 4, 2012.

FURTHER RESOLVED that the fee be waived.

FURTHER RESOLVED that a certificate of insurance will follow.

FURTHER RESOLVED to forward a copy of this Resolution to the Commissioner of Public Works, the Chief of Police and Mrs. McElroy.

Adopted by the following vote:

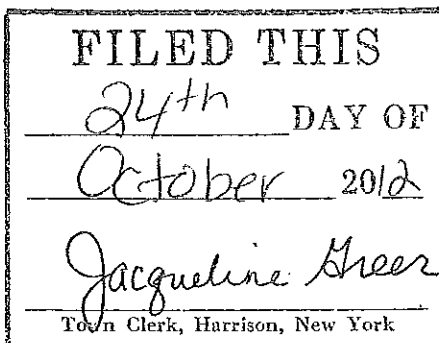
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano  
Supervisor Belmont

NAYS: None

ABSENT: None

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October 17, 2012

2012 -- 367

APPROVAL TO SET THE DATE OF WEDNESDAY, NOVEMBER 14, 2012.  
TO HOLD A PUBLIC HEARING  
FOR THE PURPOSE OF UPDATING THE TOWN'S MASTER PLAN

On motion of Councilwoman Amelio, seconded by Councilman Cannella,

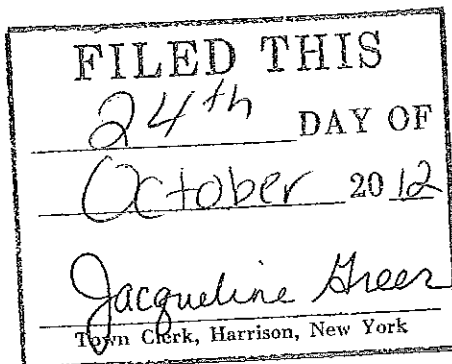
it was

RESOLVED to approve the request of Supervisor/Mayor Ron Belmont to set the date of Wednesday, November 14, 2012, for a Public Hearing for the purpose of updating the Town's Master Plan.

FURTHER RESOLVED to forward a copy of this Resolution to the Law Department.

Adopted by the following vote:

AYES:	Councilpersons Amelio, Cannella, Malfitano and Sciliano Supervisor Belmont
NAYS:	None
ABSENT:	None



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October 17, 2012

2012 - - 368

APPROVAL FOR THE PENFLEX, INC.,  
NOVEMBER 1, 2012 THROUGH OCTOBER 31, 2013  
SERVICE AWARD PROGRAM SERVICE FEE AGREEMENT

On motion of Councilman Malfitano, seconded by Councilwoman Amelio,

it was

RESOLVED to approve the request by Personnel Manager Debra Scocchera, for the PENFLEX, Inc., November 1, 2012 through October 31, 2013 Service Award Program Service Fee Agreement at an annual cost of \$3,920.

FURTHER RESOLVED to authorize Supervisor Ron Belmont to sign as Chairperson of Fire Commissioners for said agreement.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Personnel Manager and the Law Department.

Adopted by the following vote:

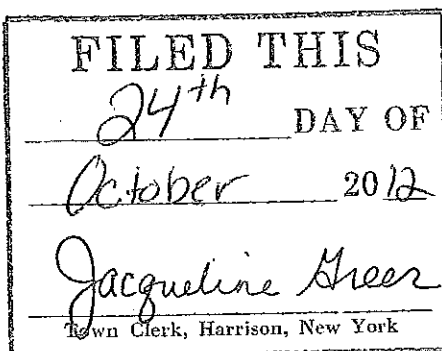
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano  
Supervisor Belmont

NAYS: None

ABSENT: None

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☒ Supvs'r





October 17, 2012

2012 -- 369

APPROVAL FOR A SPECIAL EVENTS PERMIT FOR THE TRADITIONAL  
RYE GAME PEP RALLY AND BONFIRE ON FRIDAY, OCTOBER 19, 2012

On motion of Councilwoman Amelio, seconded by Councilman Cannella,

it was

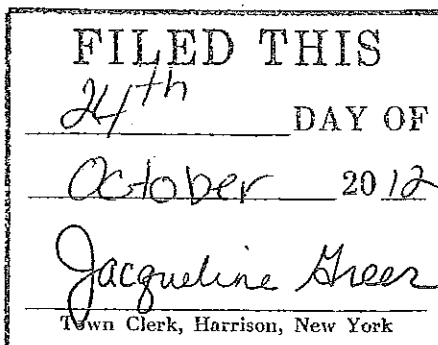
RESOLVED to approve the request of Patricia Seligman, Director of Harrison Athletics, for authorization for a Special Events Permit for the traditional Rye Game Pep Rally and Bonfire on Friday, October 19, 2012 at 8:00 PM.

FURTHER RESOLVED that the fee be waived.

FURTHER RESOLVED to forward a copy of this Resolution to the Chief of Police, the Fire Marshall and the Harrison EMS.

Adopted by the following vote:

AYES:	Councilpersons Amelio, Cannella, Malfitano and Sciliano Supervisor Belmont
NAYS:	None
ABSENT:	None



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<input checked="" type="checkbox"/>	Recr'tn
<input checked="" type="checkbox"/>	Supvs'r

October 17, 2012

2012 - - 370

APPROVAL FOR A BONFIRE AT MANHATTANVILLE COLLEGE  
SATURDAY, OCTOBER 27, 2012 FROM 8:00 PM - 10:00 PM

On motion of Councilwoman Amelio, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Building Inspector Robert FitzSimmons, on behalf of Manhattanville College for a Special Event Permit to hold a Bonfire at Manhattanville College on October 27, 2012 from 8:00 PM - 10:00 PM.

FURTHER RESOLVED that the Certificate of Insurance has been received and the Permit fee has been paid.

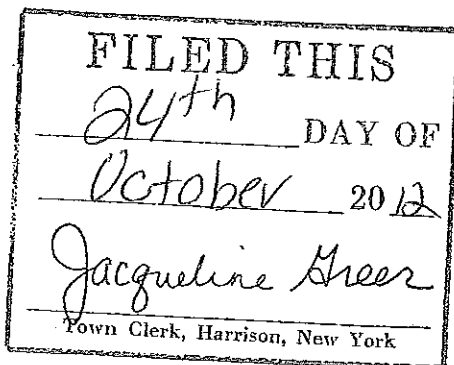
FURTHER RESOLVED to forward a copy of this Resolution to the Chief of Police, the Building Inspector, the Fire Marshall and Harrison EMS.

Adopted by the following vote:

AYES:	Councilpersons Amelio, Cannella, Malfitano and Sciliano Supervisor Belmont
NAYS:	None
ABSENT:	None

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October 17, 2012

2012 - - 371

MATTERS FOR EXECUTIVE SESSION:

Collective Bargaining	1
Contracts	2

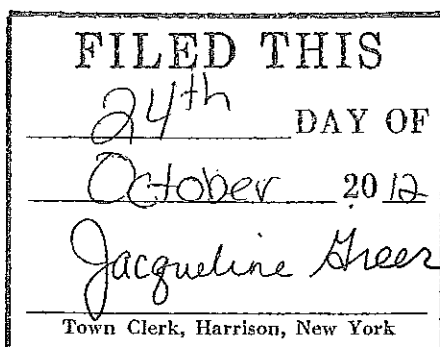
On motion duly made and seconded,  
with all members voting in favor,  
the Meeting was recessed at 7:46 PM.

On motion duly made and seconded,  
with all members voting in favor,  
the Meeting was reconvened at 10:02 PM.

There being no further matters to come before the Board,  
the Meeting was, on motion duly made and seconded,  
with all members voting in favor declared closed at 10:02 PM.

Respectfully submitted,

Jacqueline Greer  
Town Clerk



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